

JS 44C/SDNY
REV.
10/01/2020

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Bilal Smith

DEFENDANTS
Metropolitan Transportation Authority
Metropolitan Transportation Authority Police Department
Police Officer M. Griggs; John and Jane Does-Police Officers as yet

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Rubenstein & Rynecki, Esqs.
16 Court Street, Suite 1717
Brooklyn New York 11241
(718) 522-1020

ATTORNEYS (IF KNOWN)
Steve S. Efron
237 West 35th Street - Suite 1502
New York, New York 10001 (212) 867-1067

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 U.S.C. Sec. 1983 Deprivation of Civil Rights

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

Is THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[] 422 APPEAL
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	28 USC 158
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	[] 365 PERSONAL INJURY	[] 423 WITHDRAWAL
INSTRUMENT	SLANDER	PRODUCT LIABILITY	28 USC 157
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL	
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	
ENFORCEMENT	LIABILITY	LIABILITY	PROPERTY RIGHTS
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS [] 880 DEFEND TRADE SECRETS ACT
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	[] 830 PATENT
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION
DEFAULTED	[] 350 MOTOR VEHICLE		[] 840 TRADEMARK
STUDENT LOANS	[] 355 MOTOR VEHICLE		
(EXCL VETERANS)	PRODUCT LIABILITY		SOCIAL SECURITY
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	[] 861 HIA (1395ff)
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 862 BLACK LUNG (923)
OF VETERAN'S	[] 362 PERSONAL INJURY -	PRODUCT LIABILITY	[] 863 DIWC/DIWW (405(g))
BENEFITS	MED MALPRACTICE		[] 864 SSID TITLE XVI
[] 160 STOCKHOLDERS		PRISONER PETITIONS	[] 865 RSI (405(g))
SUITS		[] 463 ALIEN DETAINEE	
[] 190 OTHER	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO	FEDERAL TAX SUITS
CONTRACT	CIVIL RIGHTS	VACATE SENTENCE	[] 870 TAXES (U.S. Plaintiff or
[] 195 CONTRACT		28 USC 2255	Defendant)
PRODUCT		[] 530 HABEAS CORPUS	[] 871 IRS-THIRD PARTY
LIABILITY		[] 535 DEATH PENALTY	26 USC 7609
[] 196 FRANCHISE		[] 540 MANDAMUS & OTHER	
	[x] 440 OTHER CIVIL RIGHTS	SECURITY ACT (ERISA)	
	(Non-Prisoner)		
REAL PROPERTY	[] 441 VOTING	IMMIGRATION	
[] 210 LAND	[] 442 EMPLOYMENT	[] 462 NATURALIZATION	
CONDEMNATION	[] 443 HOUSING/	APPLICATION	
[] 220 FORECLOSURE	ACCOMMODATIONS	[] 465 OTHER IMMIGRATION	
[] 230 RENT LEASE &	[] 445 AMERICANS WITH	ACTIONS	
EJECTMENT	DISABILITIES -		
[] 240 TORTS TO LAND	EMPLOYMENT		
[] 245 TORT PRODUCT	[] 446 AMERICANS WITH		
LIABILITY	DISABILITIES -OTHER		
[] 290 ALL OTHER	[] 448 EDUCATION		
REAL PROPERTY			

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☐ 1 Original Proceeding
 ☒ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] DEF []	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] DEF []	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] DEF []
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Bilal Smith - Bronx County NY

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Metropolitan Transportation Authority - 2 Broadway, New York NY

Metropolitan Transportation Authority Police Department - 420 Lexington Ave. NY NY

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Police Officer M. Griggs

John and Jane Does-Police Officers as yet unidentified

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 6/16/2022 Steve S. Efron

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[x] YES (DATE ADMITTED Mo. January Yr. 1980)

Attorney Bar Code # SE1234

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)